AF/1734 IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Thomas E. Hansen, et al.	Examiner:	Melvin C. Mayes
Serial No.	10/000,254	Group Art Unit:	1734
Filed:	November 15, 2001	Docket No.	154.008US1
Title:	APPARATUS AND METHOD FOR APPLYING LINERLESS LABELS		

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The following documents are hereby submitted:

- ☒ Appeal Brief to the Board of Patent Appeals and Interferences of the United States Patent and Trademark Office (three copies)
- ☒ Authorization to withdraw $165.00 to cover Appeal Brief Fee of a small entity
- ☒ Transmittal Sheet
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers if an additional extension of time is deemed necessary by the Office. Authorization is hereby given to charge Deposit Account Number 50-1391 if such additional extension is necessary.

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By: _____
Atty: Mark A. Litman
Reg. No. 26,390

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Appeal Brief – Patents, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on August 26, 2004.

Mark A. Litman
Name

_____
Signature

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Alexandria, VA22313-1450

Sir:

The U.S. Patent and Trademark Office is hereby authorized to debit any costs and fees associated with the filing of this Brief on Appeal to Deposit Account No. 50-1391. Appellants hereby request a personal appearance before the Board. The fee for the personal appearance will be filed after receipt of the Examiner's Answer.

This Brief is being filed in triplicate as required under 37 CFR 1.192.

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: MAIL STOP: APPEAL BRIEF - PATENTS, P.O. BOX 1450, Commissioner for Patents, Alexandria, VA 22313-1450 26 August, 2004.

Mark A. Litman
Name

Signature

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REAL PARTY IN INTEREST

The real party in interest in this Appeal is the assignee of the full right, title and interest in this Application, Advanced Label Systems, Inc., a Corporation of the State of Minnesota having a place of business at 1120 Red Fox Road, St. Paul, Minnesota 55112-6909.

RELATED APPEALS AND INTERFERENCES

The Appellant(s), the legal representative prosecuting this application and Appeal, and the assignee are not aware of any Appeals or Interferences that will directly affect or have a bearing on the Board's of Patent Appeals and Interferences decision in this pending Appeal.

STATUS OF CLAIMS

Claims 1-4, 6-10 and 18-20 have been finally rejected.

Claims 11-17 have been withdrawn as directed towards a non-elected invention.

Claim 5 has been cancelled.

STATUS OF AMENDMENTS

No Amendment was filed after Final Rejection under 37 CFR 1.116. A Request for Reconsideration was filed on June 30, 2004 and received by the U.S. Patent and Trademark Office on July 2, 2004. The Request was considered, but no claims were allowed.

SUMMARY OF THE INVENTION

Labels which are not provided to commerce (either to intermediate users or end users) with liners over an adhesive face, referred to in the art as linerless labels, are less expensive than lined labels, more labels can be provided in a roll of a given diameter than conventional labels with release liners, and they are more environmentally friendly since they do not require the disposal of liners after use. (For example, any adhesively coated liner stock that is provided in roll form with no liner between an adhesive surface and the display surface of a label is an example of a linerless label. Linerless labels should also be less expensive since one entire element (the liner) may be removed from the manufacturing cost of the label. Liners can constitute 35% to 50% of the total cost of a lined label construction. For these and other reasons, linerless labels are achieving increased popularity. Equipment for applying linerless with rewettable or thermal sensitive adhesives to a wide variety of moving elements (such as substrates, bottles, or packages) is fairly common, as shown in U.S. Pat. Nos. 2,492,908 and 4,468,274. However, the application of unlined pressure sensitive adhesive labels to moving elements although known in the art, is uncommon (e.g., U.S. Pat. No. 4,978,415), and does not have the versatility to apply the labels to all sorts of moving elements, such as envelopes, webs, bottles, cans, and packages. (PAGE 1, LINES 14-19)

The present invention provides an alternative method of using linerless label stock with conventional lined label application apparatus by applying linerless label stock to a reusable, temporary support before the linerless label stock is associated with apparatus directly connected to the lined label application apparatus. In this manner, the economic advantages of reusing the essentially continuous support layer used to carry the label stock into the applicator is continued, but also the roll of linerless stock material may be provided to the ultimate customer of the printshop or applicator shop without that ultimate customer having to be concerned even with the addition of supplemental apparatus such as the component described in U.S. Patent No. 6,206,071. The apparatus on site with the ultimate customer does not have to be modified in any way from the conventional apparatus used to apply conventional liner label stock. (PAGE 5, LINE 26 – PAGE 6, LINE 6)

There is a definite technical problem in attempting to use a thin liner layer on label stock or linerless label stock. That technical problem arises, at least in part, from

attempting to cut or die cut the label on the backing. The cutting lacks the precision needed to cut consistently through the label without cutting through the liner. The liner is so thin that there is a regular occurrence of liner cut-through when the liner is used at commercial label converting speeds. Even when the die cutting speed is slowed on line to an extremely slow manufacturing speed, there is still some cut-through likely on line. As normal manufacturing processes for labels are sought to be at least 100 feet (28.6 m) per minute, and preferably at least 150 ft./min (42.9 m/min.) having to slow the process down to one fourth of standard speeds is a significant cost disadvantage. The present process enables a process to be practiced that can manufacture labels with thin liner, and completely avoid any potential for cut-through of the liner.

Another technical problem that arises is because of the speed of manufacturing that must be used to make the product more economical. As the speed increases, the likelihood of cut-through damage increases dramatically. Speed adds reduced alignment stability, reduced layer stability, less accuracy in the die-cutting, and the likelihood of stoppage of the manufacturing line is increased to address deficiencies. The process of the present invention, by completely eliminating even the possibility of cut-through damage, enables the potential for increased speeds, even beyond those of standard label manufacture or application systems.

The basic practices of the invention that enable these manufacturing improvements have advantages even beyond application to thin liners. One of these practices includes the use of 'small-perfing,' 'micro-perfing' or 'micro-perforation' of the label stock before application of the label stock to the liner. The procedure is more accurately termed 'microbridging.' The use of micro-perforation or microbridging techniques (which will be described in greater detail herein) provides a label that has been sufficiently cut in the desired pattern for separation into individual labels without the need for additional treatment (e.g., burr removal, trim cutting, etc.) and yet maintain the aesthetics needed for a high quality label. At the same time, the maintenance of a precut label sheet that can still be handled with a mechanical or manual system without difficulty is a significant advantage. Once a label stock sheet has been precut to form the labels, the labels will fall off the matrix, or have to be separately treated (as by vacuum lift-off). This is a significant advantage in and of itself, and can be a significant factor in the enablement of the use of thin liners. (PAGE 10, LINE 9 – PAGE 11, LINE 13)

ISSUES ON APPEAL

The following issues remain in this Appeal:

The generic issue is whether Claims 1-4, 7-10 and 18 are Obvious under 35 USC 103(a) over a Combination of six references, WO/00/07883 in view of WO 00/30963, U.S. Patent No. 3,920,122 (Koehlinger et al.), U.S. Patent No. 5,573,621 (Boreali), and further in view of Evans (U.S. Patent No. 3,565,750) and a published article titled "Controlling Costs Challenge Label Stock, Liner's Suppliers"?

Specific to that generic issue is the assertion by Appellant that where references do not show a specific and unique combination of steps and limitations in a process, and where it is only the specific combination of steps and limitations that enables practice of a technology recited in the claims, it is improper to assert that the recited process is obvious.

Furthermore, it is an issue that where prior art references express a desire for a future result, but do not teach a means for achieving that result, it cannot be obvious to use a method never before suggested for a specific material to correct a problem that has not been otherwise addressed in the art.

Furthermore, it is asserted that the rejection, as evidence by the requirement of using six (6) references to reject each claim relies upon a retrospective analysis of the limitations of the claims, searching for limitations in the art, and reassembling those references without a prospective motivation as direction. Only the blueprint of the claims on Appeals provides the direction for the assemblage of the information from the references.

GROUPING OF CLAIMS

Solely for the purposes of expediting this Appeal and complying with the requirements of 37 C.F.R. 1.192(c)(7), the following grouping of claims is presented. This grouping is not intended to constitute any admission on the record that claims within groups may or may not be independently asserted in subsequent litigation or that for any judicial determination other than this Appeal, the claims may or may not stand by themselves against any challenge to their validity or enforceability.

Claims 1-4, 7-10 and 18 shall stand or fall with the patentability of claim 1.

Claims 6, 19 and 20 shall stand or fall with the patentability of claim 6.

APPELLANTS' ARGUMENTS

Claims 5, 6 and 10 had been rejected under 35 USC 112, second paragraph as being indefinite.

These claims were amended to remove the ambiguity, or the rejection was in error when originally made. No specific statement of the removal of this rejection was made in the Office Action mailed July 19, 2004, but as the rejection was not repeated, it is assumed to have been withdrawn.

Claims 1-5, 7-10 and 18 been rejected under 35 USC 103 as unpatentable over WO/00/07883 (Schumann) and WO 00/30963 (Loehmann), Koehlinger et al. (US 3,920,122) and Boreali (US 5,573,621) and further in view of Evans (U.S. Patent No. 3,565,750) and the AWA article on "Controlling costs challenge label stock..."

Claims 1-4, 7-10 and 18 shall stand or fall with the patentability of claim 1.

It is first to be noted that all claims presently in the application are directed towards "linerless labels." This is an accepted term in the art and is clearly defined in the specification. These are liners that (because of their physical structure) have not been used with liners and were originally designed for use without liners. There is a threshold burden in this rejection that is never overcome. There is no basis provided on the record for using ANY LINER with a linerless label (as recited in all of the claims on Appeal), except by changing the application apparatus (as shown in W)/00/07883). As there is no suggestion from the art of record to alter the process of combining a liner on a linerless label **and** altering the structure of the liner on a linerless label, there is a fundamental and basic flaw in the rejection of at least claims 1-4 and 6-10, all of which are limited to linerless labels. Applicants have taught that the use of linerless labels on conventional liner application equipment is technically enabled for use on conventional linered label applicating equipment for use with ultrathin liners (defined in the claims) by placing microperforated linerless labels onto liners, an initial starting point in this

technology that is never addressed and is therefore evidence of a fundamental and fatal flaw in the rejection.

ANALYSIS OF THE SCOPE OF CLAIM 1 WITH RESPECT TO THE TEACHINGS OF THE SIX REFERENCES

Claim 1 on Appeal recites the following technology:

> "A method for enabling a linered label applicator to accept linerless label sheet for application to the surface of elements comprising border cutting a sheet consisting essentially of a linerless lable to form a source of precut linerless label, associating ~~a~~ the precut source of linerless labels on a roll of temporary liner sheet consisting essentially of a sheet of less than 0.032mm in thickness, the precut linerless label having a border for a label, the border having a linear distance defined by a micro-bridged cut along the border so that a composite of:
>
> a) said temporary liner sheet and
>
> b) micro-bridged linerless labels are provided
>
> feeding the composite into said linered label applicator where linered label is normally directed into said linered label applicator."

It is first to be noted that the claim recites a process for "...enabling a linered label applicator to accept linerless label sheet for application..." This concept is not shown in any reference of record, except by modification of the applicator apparatus as shown in WO/00/07883.

It is then recited in the claims for:

> "...border cutting a sheet consisting essentially of a linerless lable to form a source of precut linerless label, associating ~~a~~ the precut source of linerless labels on a roll of temporary liner sheet..."

The rejection of record asserts that WO/00/07883 teaches border cutting before association with a liner (See Page 3, lines 14-16). That is in error. As can be seen from Figure 1 and as taught in the specification (e.g., especially page 13,

line 22 through page 15, line 19), shows that the linerless label is cut and separated from the matrix, and then individual labels are applied to a liner (see especially page 15, lines 4-7). Even if it is argued that this is instructive of "precutting", the claim continues that the process of the claim requires the retention of a border with microperforations. This is required by the recitation in Claim 1 that:

> "...the precut linerless label having a border for a label, the border having a linear distance defined by a micro-bridged cut along the border..."

There is no suggestion in WO/00/07883 alone or in combination with the five other references that the combination of precutting, forming a border with microbridging, and combining those steps with an ultrathin liner (defined in Claim 1 as "...a sheet of less than 0.032mm in thickness...") would enable the high speed application of linerless label stock with an ultrathin liner in a commercial process.

It is therefore clear that with regard to the specific limitations in claim 1 provided above, there is no teaching of 1) changing the structure of linerless labels with liners to enable their use on conventional linered label applicators, 2) precutting labels to form microbridging, or 3) the use of precut microbridged labels with ultrathin liners. There is also no recognition that the use of ultrathin liners is enabled in high speed applications only by the use of the microbridging to stabilize the combining of ultrathin liners with labels. This benefit is not recognized in the combination of art.

In the application of labels to surfaces by automated apparatus, it is essential that surfaces and combinations of layers provide uniform thicknesses and the absence of wrinkles. This capability has never been before provided on linerless label stock with ultrathin liners. There are multiple reasons that Applicants have discovered why the problem exists and why the present combination of steps enables a solution to the problems. Because the liner is so thin, it is highly flexible, subject to wrinkling, and does not provide physical support to the label. Additionally, thin liners are substantially weaker than industry standard liners and tend to break on standard label applicators when

used with traditional cutting means (where labels are cut while attached to liners). The WO 00/30963 and Koehlinger et al. (U.S Patent No. 3,929,122) references faced this problem with the label itself, and artificially used individual "thin" layers by combining multiple layers (e.g., the stiffening layers and then adhesively securing the stiffened polymer layers) to provide a label material that could be used. No recognition of the use of thin liner material was ever considered, but the only solution for the use of relatively thin layers on the materials themselves provided by the references was to thicken the layer by adding additional layers. The recitation in claim 1 that the liner is provided as "...a roll of temporary liner sheet **consisting essentially** of a sheet of less than 0.032mm in thickness..." excludes the artificial use of "thin" layers by adding other layers thereto. The liner used in the claims is firmly limited by this limitation, which excludes the liners provided by the teachings of the references in this rejection.

One of the significant times when problems arise in the use of liners and particularly thin liners as recited in the present invention, is in the cutting of labels. ALS (WO/00/07883) cuts the label from the supporting matrix and removes the label from the matrix before applying it to a liner. This was clearly pointed out above in the discussion in ALS of Figure 1 and pages 10-15 of the ALS specification. Loehmann (WO/00/30963) cuts the label while it is on the temporary carrier. This is described, for example, in Loehmann as part of the operation shown in Figure 7 on pages 5 and 6 of the reference. It is specifically stated that:

> "The shape of this interruption in the cutting tool, however, is important from the standpoint of the height of the cutting edge. In individual cases, it may be appropriate to have the interruption in the cutting edge correspond to its height, but in many cases it is advisable for the interruption not to extend to the height of the cutting tool. This is expedient when, for example, the outer contour of the flat form is to be punched completely from a multi-layer strip-shaped material, for example, but is to be punched with only connecting bridges in a layer beneath that."

The problem attempted to be addressed by this disclosure is the inability to precisely control the thickness of the cut so that it would pass completely through the label layer (and not leave partial cuts between the bridges), yet not cut the

liner layer. With the recited thin liner layer of the invention, the criticality of the cut would be increased. As the layer is thinner, any cutting contact would damage a significant portion of the thickness of the liner, and almost any significant contact with the cutter would shift or wrinkle the thin liner. More importantly, the cutting contact would tear the release liner, causing adhesive to ooze through to the back of the adjacent substrate in a wound up roll. This would cause the materials to stick together, eliminating the possibility or normal label dispensing. Also, the cutting contact against the liners would weaken the release liner to the point where it would break on the label applicator, shutting down the applicator line. Even those skilled in the art have been unable to provide a solution to this problem in the application of thin liner layers. The fact that the claimed technology of this application provides a solution to a problem that has faced the industry for years and enables the use of such ultrathin liners evidences the strong technical advance and inventive step accomplished in this invention.

These are significant problems that are uniquely solved by the technology recited in the claims of a) first cutting the label to form microbridges, so that there cannot be any cutting impact on the liner, b) then associating the microbridged cut label with the ultrathin liner, and c) then using the combined microbridged cut label/ultrathin liner composite in a mechanical applicator. This specific step ordering enables the use of the ultrathin liner, saving costs, reducing volume of waste, preventing wrinkling that would pose problems during automated label application, and eliminating the possibility of cutting the liner, which would otherwise cause blocking and web breaks on the label. This combination of steps and materials recited in the claims shows that a previously unidentified problem has been solved by a unique combination of steps with those materials.

Two new references were cited in the Final Office Action, the AWA article and Nedblake. The AWA article is not a technical disclosure enabling practice of the technology for which the Office Action cites it against the present claims (ultrathin liners). Rather, the AWA article is the classic reference cited for a technical wish or objective, without any disclosure that enables attainment of that objective, recognizes the difficulties and problems in obtaining that objective, and

without any way of addressing those problems. The Office action states that AWA teaches "...that one of the biggest trends in labels and liners is to use thinner substrate to reduce costs and satisfy environmental need for source reduction while maintaining or improving performance and production levels." This is a non-enabling disclosure that merely suggests a direction of research. The specification of the present application is directed towards the problem faced in attempting to attain one of these "objectives" of a thinner liner. It was found that any attempt to use a thinner liner suffered from the immediate effects of wrinkling and partial separation of the liner from the label. These deficiencies caused not only aesthetic deficiencies, but also functional deficiencies in the performance of labels in automatic application equipment. **There is no suggestion in the art that the use of microbridging with thin liners in a system with precutting of the liner and subsequent application to linerless label (in claims 1-10 and any label in other claims) would overcome these problems.** These were substantive technical issues, the problems were not publicly recognized in the art, and the solution is not based upon any teachings in the art of record. Even though individual elements of the claims may have been known (e.g., liners on labels, precutting of labels before association with liners, a desirability of thin liners, microbridge cutting of labels [while they are on liners], etc.), there is no basis for specifically combining all of the elements as specifically recited in the claims to **ENABLE** the manufacture of a microbridge cut label on an ultrathin liner that can be automatically applied by apparatus without technical underperformance. As the invention as a whole is not taught, the rejection must fail.

The present invention as claimed precuts the label to form microbridges, leaving a matrix to stabilize the label, and then applies the stabilized cut label to the ultrathin carrier sheet. This is done in two ways that solve the problem and neither of these ways are taught in the prior art of record. In claims 1-10, a linerless label material is used. The linerless label does not ordinarily require a label, and for that reason, suffers from an additional problem, the need for special application machinery (see specification). By precutting the label, maintaining the stability of the cut label to the matrix (the surrounding material),

and then applying the stable precut linerless label to a substrate carrier, the linerless label material on a carrier can be applied to substrates with conventional label application apparatus. In addition, the precutting of the label allows its application to an ultrathin label that is of lower cost than normal label liner. Absent the precutting of the label, the liner tends to wrinkle or be cut while attached to the label. This damage can cause machinery breakdown, jamming and other delays. The method of this invention therefore solves multiple problems faced in the prior art and provides a high quality low cost product.

None of the references and no combination of references of record suggest the use of ultrathin liners in combination with machine-applied labels and especially linerless labels. None of the references recognize the problems associated with the use of ultrathin liners with machine-applied labels. None of the references suggest the specific combination of steps that are taught by Applicants and recited in the claims for practicing a solution to that problem. Applicants have clearly established an inventive and unobvious step.

The system of the invention therefore addresses multiple problems and solves multiple problems by practicing a system and method that is novelty and not obvious from the teachings of the references.

The printing industry and particularly the label aspects of the printing industry are extremely cost-conscious. Pressure is regularly placed on printers to lower their competitive bids to win marginally profitable contracts. Bid differences of a fraction of a percent are extremely important. Using the method of the invention, the cost of manufacture (by reduction of material costs in the liner) can be reduced by as much as 5%. The label printer using this technology could easily cut costs to the customer by 2-3%, putting himself in a very competitive situation, while at the same time increasing his profit margin by 3-2% because of the reduced costs. The technical advantage of being able to finally use ultrathin liner materials is extremely important to the industry. No one else, including major suppliers, coaters and label manufacturers have been able to achieve this success. The method and the results are novel, a technical advance, and display an inventive step. The problem was to reduce costs

without altering existing label stock and without reducing product quality. Only Applicants by the claimed process have been able to accomplish this.

This recitation of thickness is quite important for a number of technical standpoints. First, the use of such a thin liner layer saves significant amount of material costs and reduces pollution of the environment by using less discardable material. The use of such ultrathin liner creates significant problems, however. Within a broad range of technical areas, the only known use of such thin liner is on roofing shingles where the liner is hand stripped from the shingle before application. The shingles are rough, uneven materials where the presence of wrinkles is insignificant, and from which the liner is hand peeled.

4. Claims 6, 19 and 20 have been rejected under 35 USC 103 as unpatentable over WO/00/07883 (Schumann), in view of WO 00/30963, Koehlinger et al. (US 3,920,122) and Boreali (US 5,573,621) (as applied directly above) and AWA when further considered with Nedblake (U.S. Patent No. 6,592,693).
These claims shall stand or fall with the patentability of claim 6. This rejection is respectfully traversed for the reasons provided directly above and for the additional reasons presented below.

The recitation of the even thinner layers (0.025mm) establishes a technical threshold that is even further from the capability of the art cited in the rejection. With each diminishing degree of thickness, the problems faced by the prior art are exacerbated, and the lack of obviousness increased.

In claim 20, label material is first printed, adhesive applied, then cut (leaving microbridges to stabilize the label to the matrix), and then laminated to a carrier sheet. Again, this is distinct, novel, and unobvious technical advance over the showing of the combination of references. By cutting the label before the application of the label material to the carrier, a more precise cut of the label can be assured without any potential damage to the carrier layer. Additionally, the microbridging is sufficient to stabilize the label-matrix sheet, yet enable it to be used in a conventional label applicator. The label applied from this system will not have rough edges because the microbridges tear cleanly and do not leave a

rough edge (see specification). Although Nedblake teaches the use of thinner liners (e.g., 0.75 mils, 0.019 mm), this is not done with linerless label (and no reason is provided for using linerless label) and is not done with microbridge cutting. Nedblake is also limited to laser cutting as an enabling cutting step, and does not teach microbridging.

The Declaration of Mr. Raymond Pace

This declaration, by one with extensive knowledge of the label and label-plus-liner industry, provides evidence that one with executive knowledge in the art is unaware of any products that provide thin (less than 0.5 mil) liners with any label products and particularly not with linerless label products. Additionally, the declarant recognizes the technical difficulties in providing such thin liners on labels and indicates his belief that only through the combination of steps and technologies in the process recited in the present claims of Advanced Label Systems have consistent quality thin (less than or equal to 0.05 mils) liners be applied to labels.

CONCLUSION

The present claims are patentable over the prior art cited in the rejections. All rejections are in error and should be reversed. The Examiner has been authorized to cancel all non-elected claims upon allowance of claims 1-10 and 18-20 by way of an Examiner's amendment. If there are any issues that can be addressed by a telephone communication, the US PTO is courteously invited to call the attorney of record at **952.832.9090**

Authorization is hereby given to charge any additional fees or credit any overpayments that may be deemed necessary to Deposit Account Number 50-1391.

Respectfully submitted,
THOMAS E. HANSEN, et al.
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Date: 26 AUGUST 2004 By: _____

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Reg. No. 26,390

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Amendment and the papers, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: MAIL STOP: APPEAL BRIEFS: PATENTS, P.O. BOX 1450; Commissioner for Patents, Alexandria, VA 22313-1450 26 AUGUST 2004.

Mark A. Litman
Name

_____
Signature

APPENDIX - THE CLAIMS ON APPEAL

1. (PREVIOUSLY PRESENTED) A method for enabling a linered label applicator to accept linerless label sheet for application to the surface of elements comprising border cutting a sheet consisting essentially of a linerless lable to form a source of precut linerless label, associating ~~a~~ the precut source of linerless labels on a roll of temporary liner sheet consisting essentially of a sheet of less than 0.032mm in thickness, the precut linerless label having a border for a label, the border having a linear distance defined by a micro-bridged cut along the border so that a composite of:

a) said temporary liner sheet and

b) micro-bridged linerless labels are provided

feeding the composite into said linered label applicator where linered label is normally directed into said linered label applicator.

2. (ORIGINAL) The method of claim 1 wherein the micro-perforated cut along the border comprises a cut wherein less than 10% of the total border retains material that bridges the label and its matrix, and no single bridge element comprises more than 3% of the linear border distance.

3. (PREVIOUSLY PRESENTED) A method of applying linerless labels to a substrate according to claim 1, wherein individual labels from the micro-bridged linerless label are removed from said temporary liner sheet leaving a matrix on the temporary liner, and said individual labels are applied to a substrate.

4. (ORIGINAL) The method of claim 2 wherein after removal of cut-out linerless label from the temporary liner sheet, the temporary liner sheet is wound into a roll.

5. (CANCELLED)

6. (PREVIOUSLY PRESENTED) The method of claim 1 wherein the temporary liner consists essentially of a polymer film of less than 0.025 mm in thickness.

7. (PREVIOUSLY PRESENTED) The method of claim 2 wherein said roll is used to feed label on a thin liner of less than 0.032 mm as a source of label comprising the steps in said applicator of:

bending said linerless label on a reusable, temporary liner to partially remove at least a part of an edge of said linerless label from said temporary liner,

having at least said lifted edge placed into contact with a surface to which the linerless label is to be applied, and

attaching said linerless label to said surface.

8. (ORIGINAL) The method of claim 3 wherein the micro-bridge is torn as label is removed from matrix in said linered label applicator.

9. (PREVIOUSLY PRESENTED) The method of claim 4 wherein said roll is used to feed label on a reusable, temporary liner as a source of label comprising the steps in said applicator of:

bending said linerless label on a reusable, temporary liner to partially remove at least a part of an edge of said linerless label from said reusable, temporary liner,

having at least said lifted edge placed into contact with a surface to which the linerless label is to be applied, and

attaching said linerless label to said surface.

10. (PREVIOUSLY PRESENTED) The method of claim 2 wherein said roll is used to feed label on a reusable, temporary liner as a source of label comprising the steps in said applicator of:

bending said linerless label on a reusable, temporary liner to partially remove at least a part of an edge of said linerless label from said reusable, temporary liner,

having at least said lifted edge placed into contact with a surface to which the linerless label is to be applied, and

attaching said linerless label to said surface.

11.-17. (WITHDRAWN FROM APPEAL – NON-ELECTED INVENTION)

18. (PREVIOUSLY PRESENTED) An apparatus for enabling a linered label applicator to accept linerless label sheet for application to the surface of elements comprising a cutter to provide a source of border cut sheet linerless label, a source of the cut linerless labels on a roll of temporary liner sheet added to the cut linerless label, the sheet consisting essentially of a sheet of less than 0.032mm in thickness, a feeder for feeding the cut linerless label on a roll of temporary liner sheet to the linered label applicator, the linerless label having a border for a label, the border having a linear distance defined by a micro-bridged cut along the border so that a composite of a) and b), wherein a) and b) are defined below as:

a) said temporary liner sheet and

b) micro-bridged linerless labels

is provided to a feeder for feeding the composite into said linered label applicator, and

a stripping system to remove label from matrix by severing microbridges, and an applicator system for applying stripped label to a substrate.

19. (PREVIOUSLY PRESENTED) The apparatus of claim 18 wherein the temporary liner sheet consists of a polymer film of less than 0.025 mm in thickness.

20. (PREVIOUSLY PRESENTED) The apparatus of claim 19 wherein the linerless label is provided as printed label ~~to~~ prior to being supplied to the cutter.

CLAIMS WITHDRAWN FROM APPEAL AS DIRECTED TO A NON-ELECTED INVENTION

11. (ORIGINAL) A source of linerless labels comprising a composite of an elongate sheet of reusable, temporary liner having adhered to a low adhesion surface of said reusable, temporary liner an adhesive face of a micro-bridged cut linerless label, said composite being rolled into a roll.

12. (ORIGINAL) The source of linerless labels of claim 11 wherein said roll has a non-adhesive face of said linerless label facing radially outwardly.

13. (ORIGINAL) The source of linerless labels of claim 12 wherein said face of said linerless label facing radially outwardly has a non-adherent coating on the radially outwardly facing face.

14. (ORIGINAL) A method for creating a label on a temporary reusable carrier comprising the steps of:

a) printing an image onto at least one face of a first sheet material;

b) applying adhesive to at least one face of the printed first sheet material;

c) cutting the sheet material into individual labels having a micro-bridged cut along a border of the label within a label stock sheet, the micro-bridged cut comprising a cut wherein less than 10% of the border retains material that bridges the label and its matrix from the label stock sheet, and no single bridge element comprises more than 3% of the linear border distance;

d) applying a face of the individual labels to a temporary carrier sheet to form a sheet of precut label stock.

15. (ORIGINAL) The method of claim 14 wherein precut label stock is fed into a label applicator, micro-bridged labels from the label stock are applied to substrates, and the temporary carrier is removed.

16. (ORIGINAL) The method of claim 14 wherein the temporary liner comprises a sheet of less than 0.032 mm in thickness.

17. (ORIGINAL) The method of claim 16 wherein the temporary liner comprises a polymer film of less than 0.025 mm in thickness.